

**REMARKS**

This Amendment and Response is filed in reply to the Office action dated April 5, 2007. Claims 1, 6, 11 and 17 are amended and no claims are canceled. Accordingly, after entry of this Amendment and Response, claims 1-19 remain pending.

I. Claim Rejections Under 35 U.S.C. § 102

Claims 1-19 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,148,396 to Chrysos et al. (hereinafter "Chrysos"). An anticipation rejection requires that each and every limitation of a claim be disclosed in a single prior art reference.

Initially, the rejection of independent claims 1, 6, 11 and 17 is addressed. Independent claim 1 has been amended to include the limitations "storing information relating execution events in a history queue having a plurality of entries and storing one or more program counter values corresponding to one or more control transfer events" and "selecting an instruction for sampling that is not a control transfer event." Independent claims 6, 11 and 17 have been amended to include similar limitations. While Chrysos teaches storing the program counter for a selected instruction (see *Chrysos*, column 11, lines 53-54), it does not teach a history queue having a plurality of entries and storing one or more program counter values corresponding to one or more control transfer events for a sampled instruction that is not a control transfer event.

Further, as noted in the Office action, Chrysos stores the program counter of a control transfer event when the instruction being sampled is a control transfer event (see *Office action*, page 7). However, the program counter of a control transfer event is not stored when the instruction being sampled is not a control transfer event as required by the independent claims.

Insofar as Chrysos does not teach all of the limitations of independent claims 1, 6, 11 and 17, it cannot anticipate them. Therefore, it is respectfully submitted that independent claims 1, 6, 11 and 17 are patentable over Chrysos, believed to be in form for allowance, and such indication is respectfully requested. The remaining claims 2-5, 7-10, 12-16 and 18-19 all depend, either directly or indirectly, from one of independent claims 1, 6, 11 and 17. Accordingly, these dependent claims are themselves patentable over Chrysos for at least the reasons stated above and such indication is respectfully requested. This statement is made without reference to or waiving the independent bases of patentability within each dependent claim.

II. Conclusion

The Applicant thanks the Examiner for his thorough review of the application. The Applicant respectfully submits the present application, as amended, is in condition for allowance and respectfully requests the issuance of a Notice of Allowability as soon as practicable.

The Applicant believes no fees or petitions are due with this filing. However, should any such fees or petitions be required, please consider this a request therefor and authorization to charge Deposit Account No. 04-1415 as necessary.

If the Examiner should require any additional information or amendment, please contact the undersigned attorney.

Dated: July 3, 2007

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Gregory P. Durbin', written over a horizontal line.

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